

Minutes of a Community Development Agency Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, October 3, 2006 at 7:00 p.m.

Present:

Philip Cardinale,	Chairman
Edward Densieski,	Member
George Bartunek,	Member
Barbara Blass,	Member
John Dunleavy,	Member

Also Present:

Andrea Lohneiss,	Director
Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

CDA meeting opened: 9:35 p.m.

Chairman Cardinale: "To open the meeting of the Community Development Association— Agency and, Andrea, as our CDA director is going to present numbers 11, 12, 13, and 14, CDA resolutions."

Resolution #11

Andrea Lohneiss: "Okay, Resoluton 11 authorizes the clerk to publish and post a notice of scoping hearing upon the draft environmental impact statement in support of the update of the town of Riverhead East Main Street Urban renewal Plan which was authorized at the town board meeting on September 19th."

Chairman Cardinale: "Kevin, thank you for your presentation and we'll be talking with you during the week. You just called #11."

Andrea Lohneiss: "Yes."

Chairman Cardinale: "Hearing on a draft environmental impact statement-- oh, there's going to be a scoping hearing."

Andrea Lohneiss: "Scoping hearing."

Chairman Cardinale: "What day is that?"

Andrea Lohneiss: "It's set for October 25th, which is a Wednesday afternoon at 3:00 p.m."

Chairman Cardinale: "Okay. So Wednesday afternoon at 3:00 p.m. This is the scoping of what issues Apollo will be studying in regard to their projects. Three p.m. this room, October 25th. Could we have a vote please?"

Member Dunleavy: "So moved."

Member Bartunek: "And seconded."

Chairman Cardinale: "Moved and seconded. May we have a vote, please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes."

Andrea Lohneiss: "Resolution 11 is adopted."

Resolution #12

Andrea Lohneiss: "Authorizes the issuance of request for proposals (RFP) to develop a 600 acre site at the Calverton Enterprise Park and publication of notice."

Member Bartunek: "So moved."

Member Blass: "And seconded."

Chairman Cardinale: "Moved and seconded. May we have a vote please?"

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale."

Chairman Cardinale: "Yes. This is significant. We're going to send out the RFP on the newly- "

Andrea Lohneiss: "Rezoned."

Chairman Cardinale: "-- rezoned area of 450 acres industrial, 150 in office park. This together with Burman and the runway and the

industrial incubator is three times the size of any other industrial park in Long Island. And we'd like to sell it."

Andrea Lohneiss: "It's all or part of the 600 acres. There's 145 acres of office park and 450 acres of industrial and the RFP is available in the Clerk's office beginning tomorrow. And there's no fee associated with the RFP to be picked up."

Chairman Cardinale: "So we encourage all of you to- who are interested, pick it up."

Could we have a motion to consider and second- "

Andrea Lohneiss: "We passed that."

Member Dunleavy: "We passed that."

Chairman Cardinale: "Then can we have a vote? Can we do anything? Oh, it's voted that's right. Okay, carry on."

Resolution #13

Andrea Lohneiss: "Authorizes submission of grant application to New York State Office of Parks, Recreation and Historic Preservation for funding under the Recreational Trails Program."

Member Blass: "So moved."

Member Densieski: "Second the motion."

Chairman Cardinale: "Moved and seconded. May we have a vote please?"

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale- I'm sorry, Densieski, yes; Cardinale."

Chairman Cardinale: "Yes. This is for a- this is for the bike path, to get some money for a bike path along the Grumman parcel. Six to eight miles- "

Member Bartunek: "Recreation."

Chairman Cardinale: "I think I'd be dead if I tried to do that six or eight miles, ride a bike."

Member Bartunek: "Recreation."

Chairman Cardinale: "Okay. Recreation path. I vote yes."

Andrea Lohneiss: "Okay, Resolution 13 is adopted."

Resolution #14

Chairman Cardinale: "Authorizes Chairman to execute lease for park and recreation facilities. This is a- we're going to do this by authorizing me to sign as the CDA and then we're going to authorize Kent to sign as the Supervisor or Deputy Supervisor?"

Andrea Lohneiss: "That's correct. This is a lease for the 65 acre public town park that the town has previously designated to be parkland for which we received already two state grants from the Department of Parks for its improvement as well as the allocation of park and rec development fees."

Chairman Cardinale: "And the CDA owns it and is leasing it to the town is going to develop it?"

Andrea Lohneiss: "That's correct. Because we've issued bonds and the town of Riverhead has issued bonds for the improvements to be made and supported with the grant funds, the lease is necessary from the CDA to the town for no consideration."

Chairman Cardinale: "Okay, thank you. Could we have a- "

Member Densieski: "So moved."

Member Dunleavy: "And seconded."

Chairman Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes."

Andrea Lohneiss: "Resolution 14 is adopted."

Member Bartunek: "Andrea, is there a reason we would want to forward a copy of this to the recreation committee?"

Andrea Lohneiss: "The recreation committee, sure. I'll make that change on the final, Barbara."

Barbara Grattan: "You got it. Thanks."

Chairman Cardinale: "Okay, we are now— we thank you for helping us with the CDA meeting. We are now going to adjourn— or actually we're going to conclude the CDA meeting."

CDA meeting closed: 9:56 p.m.

Barbara Grattan
Town Clerk

October 3, 2006

Adopted

TOWN OF RIVERHEAD
Community Development Agency

Resolution # 11

**Authorizes Town Clerk to Publish and Post Notice of Scoping Hearing Upon the
Draft Generic Environmental Impact Statement in Support of Update of the
Town of Riverhead East Main Street Urban Renewal Plan (1993)**

COUNCILMAN DUNLEAVY offered the following resolution, which was
seconded by COUNCILMAN BARTUNEK.

WHEREAS, by Resolution dated 19 September 2006, the Town of Riverhead Community Development Agency ("CDA") authorized the update of the East Main Street Urban Renewal Plan as adopted October 19, 1993 pursuant to the General Municipal Law of the State of New York; and

WHEREAS, by Resolution dated 19 September 2006, the CDA further declared itself to be the lead agency in the aforementioned Urban Renewal Plan update and determined that such action, together with existing development petitions, create potentially significant adverse impact upon either the natural or social environment and that a Draft Environmental Impact Statement need be prepared; and

WHEREAS, the CDA has prepared a draft scope of issues pursuant to NYCRR Part 617.8 (b); and

WHEREAS, the CDA desires to hold a Scoping Hearing pursuant to NYCRR Part 617.8,

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be authorized to publish and post the attached notice of Scoping Hearing in the October 5, 2006 edition of the official newspaper of the Town of Riverhead.

THE VOTE

DUNLEAVY ~~Yes~~ No

BARTUNEK ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

TOWN OF RIVERHEAD
Community Development Agency

NOTICE OF SCOPING HEARING

PLEASE TAKE NOTICE, that a Scoping Hearing, pursuant to the New York State Environmental Conservation Law and its attending regulations, will take place on the 25th day of October, 2006, at 3:00 pm at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider the environmental impacts to be assessed in the preparation of a Draft Generic Environmental Impact Statement to be prepared in support of the update of the Town of Riverhead East Main Street Urban Renewal Plan, adopted by the Town of Riverhead Community Development Agency on October 19, 1993 encompassing public and private real property located within the Riverhead Central Business District.

A draft scope of issues, as prepared by the Town of Riverhead Community Development Agency, will be available for public review and inspection in the Office of the Town Clerk, Monday through Friday, from 8:30am to 4:30pm, beginning on the 11th day of October, 2006.

10/3/06

Town of Riverhead
CDA

Adopted

Resolution #__ 12

Authorizes Issuance of Request for Proposals (RFP) to develop a 600-acre Site at Calverton Enterprise Park and Publication of Notice

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**:

WHEREAS, the Community Development Agency (CDA) received title to the Naval Weapons Industrial Reserve Plant (NWIRP) site from the U.S. Navy on September 10, 1998 at no cost for the purposes of economic redevelopment; and

WHEREAS, the Town Board retained the services of Jack O'Connor, Principal at Newmark Knight Frank, as the exclusive real estate broker for the site; and

WHEREAS, the CDA wishes to seek proposals from developers with experience in developing office/industrial facilities, with the financial resources and capabilities to fund all or part of a 600-acre development project, as well as having a general development approach and concept for the site that best meets the Town's economic development objectives; and

WHEREAS, the Town recently rezoned the 600-acre site under consideration; and

WHEREAS, approximately 460 acres are now zoned for light industrial use and approximately 145 acres are zoned for office use.

WHEREAS, the terms of the RFP include a full cash payment at closing that would provide significant income to the Town of Riverhead; and

WHEREAS, the sale of a portion of the property to a developer will further provide additional revenue to the Town of Riverhead through the payment of real property taxes levied upon the land improvements;

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the issuance of a Request for Proposals to be available on October 4 from the Office of the Town Clerk; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publication of the attached public notice in the October 5 issue of the News-Review; and

THEREFORE, BE IT RESOLVED, that the CDA Board hereby authorizes the firm of Newmark Knight Flight to advertise the RFP as deemed necessary and at its sole cost.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and Jack O'Connor, Newmark Knight Flight.

DUNLEAVY ☒ YES ___ NO BARTUNEK ☒ YES ___ NO

BLASS ☒ YES ___ NO DENSIESKI ☒ YES ___ NO

CARDINALE ☒ YES ___ NO

THIS RESOLUTION ☒ IS ___ IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town of Riverhead hereby solicits proposals from qualified developers for projects involving a 600-acre site at the former Grumman site in Calverton, now referred to as Calverton Enterprise Park. The site was recently rezoned as follows:

- approximately 460 acres are now zoned for Light Industrial Use.
- approximately 145 acres are zoned for Office Use.

The Request for Proposals can be acquired from the Office of the Riverhead Town Clerk.

For further information contact:

Andrea Lohneiss, Community Development Agency Director
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901
(631) 727-3200 x287

Dated: October 3, 2006

Barbara Grattan
Town Clerk

10/3/06

Town of Riverhead
Community Development Agency
Resolution # 13

Adopted

AUTHORIZES SUBMISSION OF GRANT APPLICATION TO NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR FUNDING UNDER THE RECREATIONAL TRAILS PROGRAM

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS, the Town of Riverhead Community Development Agency took title to approximately 2023 acres of property from the United States Navy in 1998; and

WHEREAS, the Town of Riverhead Community Development Agency has procured grant funds from the New York State Office of Parks, Recreation and Historic Preservation for the development of recreational facilities on a 65 acre portion of the property for public park and recreation use; and

WHEREAS, the town has developed a plan for a non-motorized diverse use recreational trail to run approximately the circumference of the overall EPCAL property pursuant to the attached map; and

WHEREAS, the State of New York Office of Parks, Recreation and Historic Preservation is administering a federal USDOT/FHWA program funded by SAFETEA-LU called the Recreational Trails Program to provide and/or maintain recreational trails for both motorized and non-motorized recreational trail use.

THEREFORE, BE IT RESOLVED, that the CDA Board hereby authorizes and directs the Supervisor of the Town of Riverhead (municipal entity) in his capacity as the Chairman of the Community Development Agency (property owner) to submit a grant application for a non-motorized diverse use project to be located at the EPCAL site along the former perimeter roadway to the NYS Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program in an amount not to exceed \$100,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Riverhead or CDA as appropriate for the recreational trails project and, if required, a conservation easement to the deed of the assisted property.

10/3/06

Town of Riverhead
Community Development Agency
Resolution # 14

Adopted

AUTHORIZES CHAIRMAN TO EXECUTE LEASE FOR PARK AND RECREATION
FACILITIES

COUNCILMAN DENSIESKI offered the following resolution, which was

seconded by COUNCILMAN DUNLEAVY.

WHEREAS, the Community Development Agency received approximately 2023 acres of property then known as the Naval Weapons Industrial Reserve Plant and now known as the Enterprise Park at Calverton from the US Navy in 1998; and

WHEREAS, the CDA has procured grant funds totaling \$600,000 for the development of town recreational facilities at the site for the benefit of residents; and

WHEREAS, the Town Board has authorized a project to be developed and funded by the issuance of bonds pursuant to Resolutions #839 of 9/7/05 and #340 of 4/18/06 to be supported by recreation development fees.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Chairman to execute attached lease agreement for the lease of 65 acres from the Town of Riverhead Community Development Agency for the development of public park and recreational facilities to be paid for in part by the issuance of bonds by the Town of Riverhead.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to Andrea Lohneiss, CDA Director, Ray Coyne, Recreation Supervisor, Dawn Thomas, Town Attorney, and the Recreation Advisory Committee.

DUNLEAVY ☒ YES ☐ NO BARTUNEK ☒ YES ☐ NO

BLASS ☒ YES ☐ NO DENSIESKI ☒ YES ☐ NO

CARDINALE ☒ YES ☐ NO

THIS RESOLUTION ☒ IS ☐ IS NOT
DECLARED DULY ADOPTED

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Andrea Lohneiss, CDA Director, and to the Town of Riverhead Recreation Advisory Committee and Ray Coyne, Recreation Superintendent.

DUNLEAVY ☒ YES ___ NO BARTUNEK ☒ YES ___ NO

BLASS ☒ YES ___ NO DENSIESKI ☒ YES ___ NO

CARDINALE ☒ YES ___ NO

THIS RESOLUTION ☒ IS ___ IS NOT
DECLARED DULY ADOPTED

LEASE AGREEMENT

THIS LEASE, made the ____ day of October, 2006, between THE RIVERHEAD COMMUNITY DEVELOPMENT AGENCY, with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "Landlord", and THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter jointly, severally and collectively referred to as "Tenant".

WITNESSETH, that the Landlord hereby leases to the Tenant, and the Tenant hereby hires and takes from the landlord a certain parcel of land, with the buildings and improvements thereon situated, located at EPCAL, more commonly referred to as the "Calverton Recreational Facility", and more specifically described as 65.83 acres as depicted upon Exhibit A attached hereto, to be used and occupied by the Tenant, TOWN OF RIVERHEAD, as a community recreational facility, to be known as THE CALVERTON RECREATIONAL FACILITY, for an initial term of twenty years, to commence on October 1, 2006, and to end on September 30, 2026, and to be renewed and extended by agreement of the parties at the end of said twenty-year term for successive additional ten-year terms, but not to exceed a fifty-year term, or unless sooner terminated as hereinafter provided.

IT IS MUTUALLY COVENANTED AND AGREED THAT:

1. **Rent.** As consideration or rent for the subject premises, the Tenant, Town of Riverhead, shall bear the cost of the capital improvements to be constructed at the subject premises, with no further rental payments to be made to the Community Development Agency by the Tenant as rent during the term of the lease.
2. **Insurance.** Tenant, Town of Riverhead shall keep the premises properly insured and shall provide the Landlord with proof of coverage during the term of this lease.
3. **Repairs, Maintenance, Utilities.** Tenant, Town of Riverhead, shall be responsible for all repairs, maintenance, and utility payments covering any buildings and premises without contribution from the Landlord.
4. Any and all financial obligations and debt service necessitated by the bonds issued to complete the capital improvements as depicted upon Exhibit B, attached hereto and made a part hereof, shall be borne by the Town of Riverhead.

5. **Special District Levies.** Tenant, Town of Riverhead, shall pay the cost of any special district charges as levied.

6. **Vacate Premises.** If for any reason the Town of Riverhead discontinues the use of the premises as a community recreational facility and vacates the premises, this lease shall be considered terminated and become null and void.

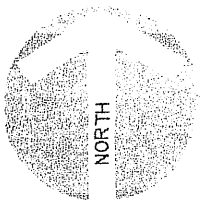
IN WITNESS WHEREOF, the Landlord and Tenant have respectively signed and sealed these presents the day and year first above written.

RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

By: _____
PHILIP J. CARDINALE, Chairman

TOWN OF RIVERHEAD

By: _____
CHRISTOPHER E. KENT, Deputy Supervisor



SCALE: 1"=300'



SURVEY PREPARED BY
JOHN EHLERS, LAND SURVEYOR
6 E. MAIN STREET
RIVERHEAD, NY 11901

SCALE: 1"=300'

Adopted

Resolution #839

7211 3-3209P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Wading River Congregational Church, North Country Road Wading River, New York, in said Town, on September 7, 2005, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Cardinale and upon roll being called, the following were

PRESENT:

Supervisor Philip Cardinale
Councilman George Bartunek
Councilwoman Rose Sanders
Councilwoman Barbara Blass
Councilman Edward Densieski

ALSO PRESENT:

Town Clerk Barbara Grattan
Town Attorney, Sean Walter

ABSENT:

The following resolution was offered by Councilman COUNCILMAN BARTUNEK, who moved its adoption, seconded by Councilman COUNCILWOMAN SANDERS, to-wit:

BOND RESOLUTION DATED SEPTEMBER 7, 2005.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,395,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$4,395,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$4,395,000, and the plan for the financing thereof shall be by the issuance of the \$4,395,000 serial bonds authorized pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of The Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the

Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. Upon this resolution taking effect, the same shall be published in full in The News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE

Bartunek ✓	yes	no	Sanders ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
Cardinale ✓	yes	no			

THE RESOLUTION ~~X~~ WAS ~~X~~ WAS NOT
THEREFORE DULY ADOPTED

STATE OF NEW YORK)
)ss:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on September 7, 2005, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom and
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

Traveler-Watchman

September 8, 2005

|| ||

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

September 8, 2005

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
on September ____, 2005.

Town Clerk

1203257.01

43219-2-4

BOND RESOLUTION – ADDITIONAL MONEY

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on April 18, 2006, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were present:

PRESENT:

ABSENT:

The following resolution was offered by COUNCILMAN DENSIESKI, who moved its adoption, seconded by COUNCILMAN DUNLEAVY, to-wit:

BOND RESOLUTION DATED APRIL 18, 2006.

A RESOLUTION SUPPLEMENTING THE BOND RESOLUTION DATED SEPTEMBER 7, 2005, TO AUTHORIZE, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF AN ADDITIONAL \$1,100,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated September 7, 2005, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$4,395,000 bonds of said Town to pay the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$5,495,000, constituting an increase of \$1,100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize, **SUBJECT TO PERMISSIVE REFERENDUM**, the issuance of an additional \$1,100,000 bonds of said Town for such specific object or purpose; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying an additional \$1,100,000 cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued, **SUBJECT TO PERMISSIVE REFERENDUM**, an additional \$1,100,000 bonds of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now \$5,495,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$4,395,000 bonds of said Town authorized to be issued pursuant to the aforesaid bond resolution dated and duly adopted on September 7, 2005;
- b) By the issuance of the additional \$1,100,000 bonds of said Town herein authorized to be issued pursuant to this bond resolution, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first bond anticipation note therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years**.

Section 4. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park

and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of the Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the *Traveler-Watchman*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

* * * * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * * *

THE VOTE

Dunleavy ___ yes ___ no Bartunek ___ yes ___ no

Blass ___ yes ___ no Densieski ___ yes ___ no

Cardinale ___ yes ___ no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 18th day of April, 2006.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of April, 2006.

Town Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 18th day of April, 2006, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,
_____, 2006.

Town Clerk

Resolution # _____

BOND RESOLUTION DATED APRIL 18, 2006.

A RESOLUTION SUPPLEMENTING THE BOND RESOLUTION DATED SEPTEMBER 7, 2005, TO AUTHORIZE, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF AN ADDITIONAL \$1,100,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated September 7, 2005, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$4,395,000 bonds of said Town to pay the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$5,495,000, constituting an increase of \$1,100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize, **SUBJECT TO PERMISSIVE REFERENDUM**, the issuance of an additional \$1,100,000 bonds of said Town for such specific object or purpose; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying an additional \$1,100,000 cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued, **SUBJECT TO PERMISSIVE REFERENDUM**, an additional \$1,100,000 bonds of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now \$5,495,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$4,395,000 bonds of said Town authorized to be issued pursuant to the aforesaid bond resolution dated and duly adopted on September 7, 2005;
- b) By the issuance of the additional \$1,100,000 bonds of said Town herein authorized to be issued pursuant to this bond resolution, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first bond anticipation note therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of the Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the *News-Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION OF POSTING

STATE OF NEW YORK

)

) ss.:

COUNTY OF SUFFOLK

)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
HEREBY CERTIFY:

That on the _____ day of April, 2006, I caused to be posted on the official signboard
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of _____
Adoption of a bond resolution adopted by the Town Board of said Town on the 18th day of _____
April, 2006.

A true and correct copy of such Notice of Adoption is attached hereto.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Town this
_____ day of April, 2006.

Riverhead Town Clerk